

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA

v.

ALLWELL JOHN IBAMA,

Defendant.

CRIMINAL ACTION FILE

NO. 1:21-CR-0054-MHC-CMS-2

ORDER

This case is before the Court on the Report and Recommendation (“R&R”) of the Magistrate Judge [Doc. 87] recommending that Defendant Allwell John Ibama’s Motion to Sever Defendant for Trial [Doc. 63] be denied. The Order for Service of the R&R [Doc. 88] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), the parties were authorized to file objections within fourteen (14) days of the receipt of that Order. No party has filed objections to the R&R within the time permitted.

Absent objection, the district court judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge,” 28 U.S.C. § 636(b)(1). Based upon the absence of objections to the R&R, in accordance with 28 U.S.C. § 636(b)(1), the Court has reviewed the R&R for plain

error. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). The Court finds no plain error and that the R&R is supported by law.

The Court **APPROVES AND ADOPTS** the Report and Recommendation [Doc. 87] as the Opinion and Order of the Court. It is hereby **ORDERED** that Defendant Allwell John Ibama's Motion to Sever Defendant for Trial [Doc. 63] is **DENIED**.

It is further **ORDERED** that the time between the date the Magistrate Judge certified Defendant ready for trial on April 20, 2022 [Doc. 89], and the time for which Defendant Ibama's co-defendant¹ is certified ready for trial shall be excluded in calculating the date on which the trial of this case must commence under the Speedy Trial Act in accordance with 18 U.S.C. § 3161(h)(6).

IT IS SO ORDERED this 11th day of May, 2022.



MARK H. COHEN
United States District Judge

¹ Co-Defendant Uzoamaka J. Ugwu has entered a plea of guilty to a Criminal Information, United States v. Ugwu, No. 1:20-CR-141 (N.D. Ga.), but co-Defendant Peter Oluwatobu Oludele's case is still in the pretrial stages.